

REMARKS

In view of the request in paragraph 2 of the final Action, Fig. 3 has been filed.

In paragraphs 6 and 7 of the final Action, claim 6 was rejected under 35 U.S.C. 112, first and second paragraphs. The projection used in claim 6 means a directly contact portion (2d) as explained on page 8, lines 20-22 of the specification and understood by the Examiner.

In paragraph 9 of the Action, claims 4-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ross in view of LaCount et al.

In view of the rejections, claim 6 has been cancelled, and claim 4 has been amended to include the subject matter of cancelled claim 6. In this respect, the term in claim 6 and explanation thereof have been amended to obviate the rejection in paragraphs 6 and 7 of the final Action. The amendment of claim 4 does not introduce new issue.

As clearly recited in claim 4, a toilet paper holder of the invention comprises a roll paper retainer, and a holding plate for cutting roll paper. The roll paper retainer includes a back plate, a pair of holding members projecting forwardly from the back plate and having supporting members for rotatably supporting the roll paper therebetween, and guide portions formed at two lateral sides of the back plate.

The holding plate includes a rear plate vertically slidably fitted in the guide portions, and an upper plate projecting forwardly from the rear plate to move vertically together with the rear plate. The upper plate has a distal end portion positioned substantially on a line between the rotatable supporting members and a directly contact portion formed adjacent to the distal end portion and extending downwardly so that the distal end portion does not directly contact the roll paper.

Since the directly contact portion of the upper plate contacts the roll paper, the distal end portion does not directly contact

the roll paper after the roll paper is cut at the distal end portion. Therefore, the roll paper can be easily picked up by fingers and cut.

In Ross, a paper roll holder includes supports A having vertical slots E, and a cutter bar F having extensions f. The extensions f are slidably located in the vertical slots E, so that the cutter bar F can be located on the roll rotatably held on the supports A.

In the invention, the roll paper retainer includes the back plate, and a pair of holding members projecting forwardly from the back plate and having supporting members for rotatably supporting roll paper therebetween. In Ross, the supports A are formed to rotatably support the roll paper. However, there are no back plate and the pair of holding members projecting forwardly from the back plate.

In the invention, the roll paper retainer also includes guide portions formed at two lateral sides of the back plate. In Ross, although the vertical slots E are formed in the supports A, the vertical slots are not formed at the back plate.

In the invention, further, the holding plate includes the rear plate vertically slidably fitted in the guide portions, and the upper plate projecting forwardly from the rear plate to move vertically together with the rear plate. In Ross, the cutter bar F slides in the slots E, but there are no rear plate and the upper plate projecting from the rear plate.

In the invention, still further, the upper plate has the directly contact portion formed adjacent to the distal end portion and extending downwardly so that the distal end portion does not directly contact the roll paper. In Ross, the cutter bar F is directly placed on the roll paper, but there is no portion extending downwardly, as in the invention.

Therefore, although the cutter bar is located in the middle of the upper surface of the roll paper in Ross, the detailed

structures of the invention are entirely different from those of Ross. The invention is not disclosed or suggested by Ross.

In LaCount et al., a paper roll holder includes a back support structure 12, a rod 26 attached to the back support structure 12 and having first portions 36, and hubs 28 rotatably attached to the first portions 36. The paper roll is rotatably held between the hubs 28. In LaCount et al., the holder includes the back plate and the holding members for holding the paper roll, similar to the invention, but the main structures of the invention, i.e. guide portion formed in the back plate and the holding plate, are not disclosed or suggested.

When Ross and LaCount et al. are combined, the supports A may be combined with the back support structure 12 and support the roll paper by the hubs 28. However, such a combination does not constitute the present invention. The combination does not have the rear plate and the upper plate projecting from the rear plate and having the directly contact portion near the distal end portion. Further, the sliding position of the holding plate of the invention is different from that disclosed in Ross.

Therefore, even if the cited references are combined, the invention is not obvious from the cited references.

Reconsideration and allowance are earnestly solicited.

Respectfully Submitted,

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